

IN THE UNITED STATES DISTRICT COURT  
FOR THE Southern DISTRICT OF TEXAS  
Bee DIVISION

United States Courts  
Southern District of Texas  
FILED

Form To Be Used By A Prisoner in Filing a Complaint  
Under the Civil Rights Act, 42 U.S.C. § 1983

NOV 28 2014

Van Carter #768325

Plaintiff's name and ID Number

David J. Bradley, Clerk of Court

McConnell Unit

Place of Confinement

CASE NO:

(Clerk will assign the number)

v. McConnell Unit

Defendant's name and address

Defendant's name and address

Defendant's name and address  
(DO NOT USE "ET AL.")

**INSTRUCTIONS - READ CAREFULLY**

**NOTICE:**

**Your complaint is subject to dismissal unless it conforms to these instructions and this form.**

1. To start an action you must file an original and one copy of your complaint with the court. You should keep a copy of the complaint for your own records.
2. Your complaint must be legibly handwritten in ink, or typewritten. You, the plaintiff, must sign and declare under penalty of perjury that the facts are correct. If you need additional space, DO NOT USE THE REVERSE SIDE OR BACK SIDE OF ANY PAGE. ATTACH AN ADDITIONAL BLANK PAGE AND WRITE ON IT.
3. You must file a separate complaint for each claim you have unless the various claims are all related to the same incident or issue or are all against the same defendant, Rule 18, Federal Rules of Civil Procedure. Make a short and plain statement of your claim, Rule 8, Federal Rules of Civil Procedure.
4. When these forms are completed, mail the original and one copy to the Clerk of the United States Court for the appropriate District of Texas in the Division where one or more named defendants are located, or where the incident giving rise to your claim for relief occurred. The list labeled as "VENUE LIST" is posted in your unit law library. It is a list of Texas prison units indicating the appropriate District Court, the Division and an address of the Divisional Clerks.

**II. PLACE OF PRESENT CONFINEMENT:**McConnell Unit**III. EXHAUSTION OF GRIEVANCE PROCEDURES:**Have you exhausted both steps of the grievance procedure in this institution?  YES  NO

Attach a copy of the Step 2 grievance with the response supplied by the prison system.

**IV. PARTIES TO THE SUIT:**

A. Name or address of plaintiff: Curtis, Gary L. Warden at McConnell Unit  
Conspire on Conspiracy to Violate Civil Rights  
Deliberately Indifference toward Health or Safety

B. Full name of each defendant, his official position, his place of employment, and his full mailing address.

Defendant #1: Putnam Jr, Kenneth M. Assistant warden  
McConnell Unit  
Conspiracy to Conspire to Violate Civil Rights

Briefly describe the act(s) or omission(s) of this defendant, which you claimed harmed you.

Ramirez, Maria D. Assistant warden

Defendant #2: Ramirez D. Assistant warden  
McConnell Unit

Briefly describe the act(s) or omission(s) of this defendant, which you claimed harmed you.

Conspiracy to Conspire to Violate Civil Rights

Defendant #3: Also Brody, Michael E. Major  
McConnell Unit

Briefly describe the act(s) or omission(s) of this defendant, which you claimed harmed you.

Conspire on Conspiracy to Violate Civil Rights

Defendant #4: Gonzales Jr. Joe C Capt.

McConnell Unit

Conspire on Conspiracy to Violate Civil Rights

Briefly describe the act(s) or omission(s) of this defendant, which you claimed harmed you.

Deliberately Indifference toward Health or Safety

Defendant #5: Mckee, James A. Major

McConnell Unit

Conspire on Conspiracy to Violate Civil Rights

Briefly describe the act(s) or omission(s) of this defendant, which you claimed harmed you.

Deliberately Indifference toward Health or Safety

## FILING FEE AND IN FORMA PAUPERIS

1. In order for your complaint to be filed, it must be accompanied by the filing fee of **\$350.00**.
2. If you do not have the necessary funds to pay the filing fee in full at this time, you may request permission to proceed *in forma pauperis*. In this event you must complete the application to proceed *in forma pauperis* (IFP), setting forth the information to establish your inability to prepay the fees and costs or give security therefore. You must also include a six (6) month history of your Inmate Trust Account. You can acquire the application to proceed IFP and appropriate Inmate Account Certificate from the law library at your prison unit.
3. 28 U.S.C. 1915, as amended by the Prison Litigation Reform Act of 1995 (PLRA), provides, "...if a prisoner brings a civil action or files and appeal *in forma pauperis*, the prisoner shall be required to pay the full amount of a filing fee." Thus, the Court is required to assess and, when funds exist, collect, the entire filing fee or an initial partial filing fee and monthly installments until the entire amount of the filing fee has been paid by the prisoner. If you submit the application to proceed *in forma pauperis*, the Court will apply 28 U.S.C. 1915 and, if appropriate, assess and collect the entire filing fee or an initial partial filing fee, then monthly installments from your Inmate Account, until the entire **\$350** filing fee has been paid.
4. If you intend to seek *in forma pauperis* status, then do not send your complaint without an Application to Proceed IFP, and the Certificate of Inmate Trust Account. Complete all the essential paperwork before submitting it to the Court.

## CHANGE OF ADDRESS

It is your responsibility to inform the Court of any change of address and its effective date. Such notice should be marked "**NOTICE TO THE COURT OF CHANGE OF ADDRESS**" and shall not include any motions(s) for any other relief. Failure to file a NOTICE TO THE COURT OF CHANGE OF ADDRESS may result in the dismissal of your complaint pursuant to Rule 41(b), Federal Rules of Civil Procedures.

### I. PREVIOUS LAWSUITS:

- A. Have you filed any other lawsuits in the state or federal court relating to imprisonment?  YES \_\_\_\_\_ NO \_\_\_\_\_
- B. If your answer to "A" is yes, describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, giving the same information.)
  1. Approximate date of filing lawsuit: between 2008 & 2009
  2. Parties to previous lawsuit:  
Plaintiff(s): GIR Lewis Unit
  - Defendant(s): \_\_\_\_\_
  3. Court (If federal, name the district; if state, name the county) Tyler Division
  4. Docket Number: 2007-CV-57
  5. Name of judge to whom case was assigned: N/A
  6. Disposition: (Was the case dismissed, appealed, still pending?)  
Dismissed lack of Assistance
  7. Approximate date of disposition: between 2008 & 2009

United States Courts  
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## V. Statement of claim

Offenses That Crimts May hem & genocidal which they  
 Being on live TV or Radio broad casting Detainee - cast  
 Repliers to assault with the intent to murder, was a  
 member of my Families. Plaintiff to Prison officials  
 safe place 06/11/13 to West Fall - I feel that there's a  
 some pattern or practice - Some intent to Harm me induced  
 an evil - opinion in the mind of Rightful thinking  
 people to ~~convince~~, Convience or Deceive them to  
 believe In this Human, Dyke Femal's Crypt Blood  
 Both gauge set or child molester or Snitch Diting  
 with AIDS plus allegation on accusation - stated by Prison  
 staff & inmate assault & murdering of my mom & brother &  
 kidnapping of my children. When currie putnam Ramon  
 took over up such cover-ups but ~~deliberately~~ deliberately Indifference  
 toward it certain staff - continuing of sexually Harassment  
 Threats & sexually Assaults & after than continuing offical  
 without an Probable are allowing inmates that controlled  
 to Commit illegal Crimes Against me violates all the  
 process, conspiracy to Commit An prison hit to Return to  
 population, to murder. What their fabricating events of  
 the Rightful ~~has~~ Thinking inmates mind, to Convience  
 & Deceive them to assault or murder me as well as  
 sexually assault day in and Day out place in Fear by Prison

Staff - System wide even in UnMedical - during  
2010 - 2011 where attacked several times by inmates  
Any Reason as well prison guards. ~~2009 - 2010~~ 2009 - 2010  
This Warden currit Here at the McConnell unit per  
utilizing the Grievance Procedural / Access to the County  
Holding placed at the Sky - View Mental Hospital  
Litigating Against him & his Staff illegal conducted  
while coming from law library - snatching legal material &  
Assaulting and taking property & belongs to me & ~~destroying~~  
destroying. These same practice or pattern still occurring  
existing that puts us in totally Fear system wide  
constantly kept longer periods up ~~Time in Administer~~  
Administrative seg. Violate the greater punitive -  
seg. the McConnell Unit wardens, currit Putnam Roomer  
Capt. Gonzales Major also brook Lt. Ambriz, Sgt. Chism,  
- 29-14 attack by Two unknown prison guard whom tryed to  
fully assault me while in Secluded area. 5-6-14 Explained to  
Sgt Fernandez, 5-7-14 Ucc, 5-10-14 chaplain 5-17-14 Lt.  
idkins 5-20-14 Explains state classification Authority offices if  
legal mail by attorney Intercepted by mail room staff 7-28-14 denied  
or given to other official - case 8-4-14 Explains to Lt. Diaz  
conspiracy to Conspire to violate Civil Rights 7-5-14 Explains  
- an Sgt Diaz he, law suite conspiracy to Conspire to violate  
Civil Rights - 7-10-14, Explains to Lt. Farrel & Sgt. Rodriguez  
conspiracy to violate, Civil Rights, 7-29-14 Explains to Sgt.  
Prison Sgt. manager & prison staff are conspiring to assault & murder  
me as well the inmates.

11-08-14, et plaignt to an Sgt. R. Rodriguez 11-09-14 an Sgt. Gove, 11-14-14 Lt. Develin, Sgt. Rodriguez's Sgt. Mayor - Safe Africa, Conspiracy to Conspire in Violate - Civil Rights - 11-27-14  
Et plaignt to an Lt. Brown to Sgt. Diaz, per law suit, prison staff has conspired in conspiracy to violate civil rights, McConnell unit - United Classification Committee -  
Discriminated Against me, Denying any level of ~~process~~ process, protection they have gives that will be either  
Strikingly Assault & Murder but Numerous times,  
Filing Complaints - Failed to granted Any protection.  
Prison officials has prior to me as an 81 yrs old Black  
Disabled prisoner - suffered physical or psychological  
illness - slowdown inadequate toward Health or Safety - per  
Filing suits in Unone - Conspiracy to violate Any Person  
Without an Probable - cause & no justification civil Rights -  
Constitution - Guard to prisoner brutality or Harassment,  
unsafe cell or Prison condition, censorship or extremely  
implied Mail, photo or placed in protect custody,  
inadequate Medical care Interference with practicing my  
Religion, Inadequate Food, racial, sexual or ethnic discrimination,  
placement in Administrating seg. long period of time  
per law suits sexually Harassment sexually Assault & Assault  
with the intent to murder & intimidation ~~the act of killing~~  
& derive ~~an~~ Owner of Property - Defamation & character  
by prison staff - called child molester, girl on the bed or  
witch? I demonstrated things that ~~is~~ Not plus derive  
& mailing parole - I as an elderly Black prisoner, Abusing  
Torture by state Actor - that are continually.

## **V. STATEMENT OF CLAIM:**

State here in a short and plain statement the facts of your case, that is, what happened, where did it happen, when did it happen, and who was involved. Describe how each defendant is involved. You need not give any legal argument or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach extra pages if necessary, but remember that the complaint must be stated briefly and concisely. IF YOU VIOLATE THIS RULE, THE COURT MAY STRIKE YOUR COMPLAINT.

COMPLAINT: On or about the 15th day of June 2014, I am an 51 yrs old Black disabled Veteran SUFFERED, Heart condition, Seizures, High blood Pressure & Other physical or Psychological Problem - After utilizing grievous Procedural-File Numerous staff complaint Against Wooden currit, Ramiritz, Putnam, Major McKEE & the Rest of their Subordinates by Considering an Conspiracy to Violate most of Civil Rights, e.g. Major, Safe Prison Plus Plus & such act of Violence Twarding b Member of my Family to deprive of as Us Citizen of Life Nit less it's to Commit Assault with the Intente do Murder! For Any Know Reason on 95-2014 Date Enter Trial - ID. Complaint to said, major OFFENDER Committed against me b my Family up

**VI. RELIEF:** State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

To stop - discriminatory / Retaliatory attacks - Granted  
Preliminary injunction / Temporary Restraining Order

## **VII. GENERAL BACKGROUND INFORMATION:**

- A. State, in complete form, all names you have ever used or been known by including any and all aliases:

Van Carter

- B. List all TDCJ-ID identification numbers you have ever been assigned and all other state or federal prison or FBI numbers ever assigned to you, if known to you.

768325, 680494 3, RJA

## VIII. SANCTIONS:

- A. Have you been sanctioned by any court as a result of any lawsuit you have filed?  YES  NO

B. If your answer is "yes", give the following information for every lawsuit in which sanctions were imposed. (If more than one, use another piece of paper and answer the same questions.)

  1. Court that imposed sanctions (If federal, give district and division): Tyler Division
  2. Case Number: 9:07-cv-57
  3. Approximate date sanctions were imposed: Can't remember
  4. Have the sanctions been lifted or otherwise satisfied?  YES  NO

Your Honorable Judge have any filed  
2410-61816MC Unit - under currit by  
Property Taxing - case where probably names  
Page 4 of 5 Due to present in Illinois Court

C. Has any court ever warned or notified you that sanctions could be imposed? YES  NO

D. If your answer is "yes", give the following information for every lawsuit in which warning was imposed.  
(If more than one, use another piece of paper and answer the same questions.)

1. Court that imposed warning (if federal, give the district and division): 11/1
2. Case number: 11/1
3. Approximate date warning were imposed: 11/2

Executed on: 12/22/14  
(Date)

Van Carter  
(Printed Name)

Van Carter  
(Signature of Plaintiff)

## PLAINTIFF'S DECLARATIONS

1. I declare under penalty of perjury all facts presented in this complaint and attachment thereto are true and correct.
2. I understand if I am released or transferred, it is my responsibility to keep the Court informed of my current mailing address and failure to do so may result in the dismissal of this lawsuit.
3. I understand that I must exhaust all available administrative remedies prior to filing this lawsuit.
4. I understand I am prohibited from bringing an *in forma pauperis* lawsuit if I have brought three or more civil actions in a Court of the United States while incarcerated or detained in any facility, which lawsuits are dismissed on the ground they were frivolous, malicious, or failed to state a claim upon which relief may be granted, unless I am under imminent danger or serious physical injury.
5. I understand even if I am allowed to proceed without prepayment of costs, I am responsible for the entire \$350 filing fee and costs assessed by the Court, which shall be deducted in accordance with the law from the inmate account by my custodian until the filing fee is paid.

Signed this Wednesday day of November, 20 14.  
(Day) (Month) (Year)

Van Carter  
(Printed Name)

Van Carter  
(Signature of Plaintiff)

**WARNING:** The Plaintiff is hereby advised any false or deliberately misleading information provided in response to the following questions will result in the imposition of sanctions. The sanctions the Court may impose include, but are not limited to monetary sanctions and/or the dismissal of this action with prejudice.

Clerk

United States Courts  
Southern District of Texas  
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United States District  
Court - Southern District  
of Texas 1133 North  
Shavelino Corpus Christi, Tx  
78401

NOV 28 2014

David J. Bradley, Clerk of Court

To the Honorable clerk of ye District  
Court - Requesting to Abate / motion for new trial.

§7. The Order

§7.1 In writing. the order overruling or granting the  
motion for new trial must be in writing and signed  
by the trial court. Tex p 329 L&G; Faulkner v. Culver 851  
S.W.2d 187, 188 (Tex. 1992). A docket entry noting that  
~~Nothing~~, a motion for new trial is granted is not  
an effective order. Id. Taacke v. McFall, 661  
S.W.2d 923, 924 (Tex. 1983).

§7.2 The Grounds.

The trial court has broad discretion in granting  
new trials. A new trial may be granted for good cause,  
or motion or on the court's own motion. The court  
can grant a motion for new trial without  
stating any reason other than in the interest of  
justice. Champion Int'l Corp. v. Twelfth Court of  
Appeals, 762 S.W.2d 797, 800 (Tex. 1988).

M. Van Carter 76225  
Movement Unit 768325  
301 S. Emily Dr.  
P.O. # 11, TX 77102

Clerk

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Court - Southern District of  
Texas 1133 North Shaveline, Room 202  
David J. Bradley, Clerk of Court  
Cypress Creek, TX 77401

